LISTING OF THE CLAIMS

1. (Canceled)

2. (Currently Amended) A retry communication control method for a packet communication system that includes a plurality of packet transfer apparatuses each connected to a network and to at least one terminal apparatus and is capable of exchanging packets between the terminal apparatuses according to priority levels assigned to the packets, comprising:

sending packets of a trial class for a predetermined period from a caller terminal apparatus;

estimating whether or not the communication quality of the packets is sufficient;

if it is sufficient, sending packets of a priority class thereafter;

if it is insufficient, stopping to send packets of the trial class for a second predetermined period;

after the second predetermined period, estimating according to a communication quality level of the preceding trial-class packets whether or not it is possible to send packets of the trial class; [[and]]

if it is possible, again sending packets of the trial class for the predetermined period from the caller terminal apparatus; and

if it is impossible, partly or entirely stopping to send packets of the trial class.

3. (Previously Presented) A retry communication control method for a packet communication system that includes a plurality of packet transfer apparatuses each connected to a network and to at least one terminal apparatus and is capable of exchanging packets between the terminal apparatuses according to priority levels assigned to the packets, comprising:

sending packets of a trial class for a predetermined period from a caller terminal apparatus;

estimating whether or not the communication quality of the packets is sufficient;

if it is sufficient, sending packets of a priority class thereafter;

if it is insufficient, stopping to send packets of the trial class for a second predetermined period;

after the second predetermined period, estimating whether or not it is possible to send packets of the trial class according to an execution probability (max/total, where "total" represents the number of packet transfer apparatuses trying to send packets of the trial class within a certain time unit, and "max" represents the maximum number of packet transfer apparatuses trying to send packets of the trial class within the certain time unit and allowed to successfully transfer the packets of the trial class without deteriorating a communication quality) estimated from a communication quality of the preceding trial-class packets; and

if it is possible, again sending packets of the trial class for the predetermined period from the caller terminal apparatus.

4. (Currently Amended) A retry communication control method for a packet communication system that includes a plurality of packet transfer apparatuses each connected to a network and to at least one terminal apparatus and is capable of exchanging packets between the terminal apparatuses according to priority levels assigned to the packets, comprising:

~~starting to send~~ sending packets of a trial class from a caller terminal apparatus within a predetermined period;

estimating from time to time whether or not the communication quality of the packets is sufficient;

if it is sufficient and if the sufficient state continues for [[a]] the predetermined period, sending packets of a priority class;

if it becomes insufficient, immediately stopping to send packets of the trial class <u>before elapse of the predetermined period</u> and continuously stopping to send packets of the trial class for a second predetermined period;

after the second predetermined period, estimating whether or not it is possible to send packets of the trial class; and

if it is possible, again sending packets of the trial class from the caller terminal apparatus.

5. -9. (Canceled)

10. (Currently Amended) A retry communication control system including a plurality of packet transfer apparatuses each connected to a network and to at least one terminal apparatus, packets of a trial class being sent from one terminal apparatus to another to determine, according to the communication quality of the sent packets, whether or not it is possible to send packets of a priority class, comprising:

~~means for sending~~ <u>a unit that sends</u> packets of the trial class for a predetermined period;

~~means for estimating~~ <u>a unit that estimates</u> whether or not the communication quality of the packets is sufficient;

~~means for sending,~~ <u>a unit that sends,</u> if it is sufficient, packets of the priority class thereafter;

~~means for stopping,~~ <u>a unit that stops,</u> if it is insufficient, to send packets of the trial class for a second predetermined period;

~~means for estimating,~~<u>a unit that estimates,</u> after the second predetermined period, according to a communication quality level of the preceding trial-class packets whether or not it is possible to send packets of the trial class; [[and]]

~~means for again sending,~~a unit that again sends, if it is possible, packets of the trial class for the predetermined period from a caller terminal apparatus; and

a unit that partly or entirely stops, if it is impossible, to send packets of the trial class.

11. (Currently Amended) The retry communication control system of claim 10, wherein each of the terminal apparatuses has each of the [[means]]units.

12. (Currently Amended) The retry communication control system of claim 10, wherein each of the packet transfer apparatuses has each of the [[means]]units.

13. (Original) The retry communication control system of claim 10, further comprising:

a call control apparatus to start charging a caller terminal apparatus for a fee when the transfer of packets of the priority class is started.

14. (Currently Amended) A retry communication control system including a plurality of packet transfer apparatuses each connected to a network and to at least one terminal apparatus, packets of a trial class being sent from one terminal apparatus to another to determine, according to the communication quality of the sent packets, whether or not it is possible to send packets of a priority class, comprising:

~~means for sending~~a unit that sends packets of the trial class for a predetermined period;

~~means for estimating~~a unit that estimates whether or not the communication quality of the packets is sufficient;

~~means for sending,~~a unit that sends, if it is sufficient, packets of the priority class thereafter;

~~means for stopping,~~a unit that stops, if it is insufficient, to send packets of the trial class for a second predetermined period;

~~means for estimating,~~ a unit that estimates, after the second predetermined period, whether or not it is possible to send packets of the trial class according to an execution probability (max/total, where "total" represents the number of packet transfer apparatuses trying to send packets of the trial class within a certain time unit, and "max" represents the maximum number of packet transfer apparatuses trying to send packets of the trial class within the certain time unit and allowed to successfully transfer the packets of the trial class without deteriorating a communication quality) estimated from a communication quality of the preceding trial-class packets; and

~~means for again sending,~~a unit that again sends, if it is possible, packets of the trial class for the predetermined period from a caller terminal apparatus.

15. (Currently Amended) The retry communication control system of claim 14, wherein each of the terminal apparatuses has each of the [[means]]units.

16. (Currently Amended) The retry communication control system of claim 14, wherein each of the packet transfer apparatuses has each of the [[means]]units.

17. (Original) The retry communication control system of claim 14, further comprising:

a call control apparatus to start charging a caller terminal apparatus for a fee when the transfer of packets of the priority class is started.

18. (Currently Amended) A retry communication control system including a plurality of packet transfer apparatuses each connected to a network and to at least one terminal apparatus, packets of a trial class being sent from one terminal apparatus to another

to determine, according to the communication quality of the sent packets, whether or not it is possible to send packets of a priority class, comprising:

~~means for starting to send~~ a unit that sends packets of the trial class within a predetermined period;

~~means for estimating~~ a unit that estimates from time to time whether or not the communication quality of the packets is sufficient;

~~means for sending,~~ a unit that sends, if the communication quality is sufficient and if the sufficient state continues for [[a]] the predetermined period, packets of the priority class;

~~means for immediately stopping,~~ a unit that immediately stops, if the communication quality becomes insufficient, to send packets of the trial class before elapse of the predetermined period and continuously stopping to send packets of the trial class for a second predetermined period;

~~means for estimating,~~ a unit that estimates, after the second predetermined period, whether or not it is possible to send packets of the trial class; and

~~means for again sending,~~ a unit that again sends, if it is possible, packets of the trial class from a caller terminal apparatus.

19. (Currently Amended) The retry communication control system of claim 18, wherein each of the terminal apparatuses has each of the [[means]]units.

20. (Currently Amended) The retry communication control system of claim 18, wherein each of the packet transfer apparatuses has each of the [[means]]units.

21. (Original) The retry communication control system of claim 18, further comprising:

a call control apparatus to start charging a caller terminal apparatus for a fee when the transfer of packets of the priority class is started.

22. - 75. (Canceled)

76. (Previously Presented) The retry communication control method of claim 2, wherein the caller terminal apparatus is charged for a fee from the time when starting to transfer packets of the priority class.

77. (Previously Presented) The retry communication control method of claim 3, wherein the caller terminal apparatus is charged for a fee from the time when starting to transfer packets of the priority class.

78. (Previously Presented) The retry communication control method of claim 4, wherein the caller terminal apparatus is charged for a fee from the time when starting to transfer packets of the priority class.

79. - 86. (Cancelled).